

BellSouth Corporation  
March 31, 1997

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D. C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )

The Use of N11 Codes and Other )  
Abbreviated Dialing Arrangements )

CC Docket No. 92-105 )

**COMMENTS**

BellSouth Corporation, on behalf of its affiliated companies ("BellSouth"), by counsel, hereby files its comments to the Further Notice of Proposed Rulemaking in the above-referenced docket.<sup>1</sup>

**INTRODUCTION**

This proceeding has dealt generally with the question of whether certain N11 Service Codes should be assigned to serve various special functions. The Commission has recently directed BellCore, as the North American Numbering Plan administrator, to assign 711 as a "national code for TRS use as of the effective date" of the First Report and Order.<sup>2</sup> BellSouth recently requested that the Commission clarify that the First Report and Order is intended to be only a numbering assignment order and is not to be interpreted to dictate the terms of the provisioning, including funding, of the various special functions to which N11 Service Codes have

<sup>1</sup> The Use of N11 Codes and Other Abbreviated Dialing Arrangements, First Report and Order and Further Notice of Proposed Rulemaking, FCC 97-51, CC Docket No. 92-105 (rel. February 19, 1997).

<sup>2</sup> First Report and Order at ¶ 82.

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been assigned.<sup>3</sup> BellSouth specifically sought reconsideration of any requirement in the First Report and Order which could restrict the flexibility of LECs to provision special functions.<sup>4</sup>

Recognizing that implementation of a three digit nationwide access code may be difficult, time consuming and expensive, the Commission has sought, in its Further Notice of Proposed Rulemaking, general comments on the technical feasibility and related issues of implementing nationwide 711 access within three years. The United States Telephone Association, in separate comments filed in this proceeding in which BellSouth concurs, demonstrates that any nationwide implementation of 711 must take into account unique, state-by-state considerations including the fact that over 1300 LECs provide TRS access in compliance with existing law through a variety of switches. BellSouth will comment from its perspective as the holding company of affiliated companies which provide telephone exchange service and exchange access service in nine southeastern states, and Commercial Mobile Radio Service (CMRS) throughout the United States. In many ways, our conclusions are the same: the economic and technical feasibility of implementing 711 nationwide in three years depends upon the underlying arrangement ultimately selected to provide 711. A simple, uniform and easy to remember national dialing arrangement that routes calls to the statewide TRS provider in any given state by "pointing" to that provider's 800 number may be feasible to implement within three years. On the other hand, the Commission's inquiries concerning the possibility of accessing multiple TRS providers or

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<sup>3</sup> The Use of N11 Codes and Other Abbreviated Dialing Arrangements, BellSouth Corporation, Petition for Clarification and Reconsideration, FCC 97-51, CC Docket No. 92-105 (March 28, 1997) at 1-2.

<sup>4</sup> Id. passim.

developing a 711 "gateway" drives a much more complicated set of technological and economic issues that may be difficult to resolve within three years.

## **I. NATIONWIDE TRS ACCESS THROUGH AN N11 CODE**

### **A. Switch-Based N11 Access.**

In the case of BellSouth's wireline telephone exchange and exchange access service operations, it is technically feasible to program central office switches within a defined calling area to translate an N11 Service Code, such as 711, to a ten digit number (such as a TRS provider's 800 number) in order to permit completion of a telephone call to a single TRS provider within the proposed three year time frame.<sup>5</sup> These central office switch translations would have to be done pursuant to a predefined calling area in order to provide requisite screening and routing for the 711 code, and to generate the appropriate call code for billing purposes.<sup>6</sup>

In the case of BellSouth's CMRS operations, it is also technically feasible to translate 711 to a TRS service provider's 800 number. However, unlike wireline calling areas, many CMRS service areas cross state boundaries and, in some cases, a single mobile switching center (MSC) serves multiple states. In such cases, all 711 calls originating within the area served by the MSC would be translated to route to a single TRS center. Assuming different TRS providers in multiple states, one provider would have to be selected to receive all 711 calls from that MSC.

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<sup>5</sup> Although the processes differ, it is also technically feasible to program central office switches to translate to other ten digit numbers (NPA-NXX-XXXX).

<sup>6</sup> Until BellSouth obtains sufficient information regarding the scope of any 711/TRS access calling plan, or the manner in which charging and billing for 711 calls are to be treated, BellSouth is unable to address the cost or length of time it would take to implement a billing capability for 711 calls to a single TRS provider. BellSouth has experience provisioning N11 Service Codes. 411, 611 and 911 but never in a manner that required toll service billing. BellSouth has experience provisioning tariffed N11 Service to single information service providers on a local calling area basis, but this service has never involved toll billing.

This could result in a 711 call being routed to a TRS center operating in a state different from the one in which the caller is located. Under these circumstances, a switch translation would have to result in a default routing to one state's TRS provider or the other. A three year implementation period, subject to the default described above, can probably be achieved.

There will, of course, be costs associated with any switch upgrades or translations that need to be accomplished. In eight of the nine states in which BellSouth offers wireline telecommunications service, end user charges covering the costs associated with operating the state TRS center are imposed by state Commissions. The costs that LECs incur to program switches to perform translations need to be recovered, and there is no reason why an entity bidding to provide TRS service should not reimburse the LECs for these costs, which will in turn be a part of the bid that the provider will submit to the state. The state can then determine how these costs should be taken into account with respect to end user or other charges.

**B. Promoting TRS Competition and Establishing An N11 Gateway.**

The Commission has sought comment on "how competition among relay providers would be maintained."<sup>7</sup> It is unclear to BellSouth whether the Commission is referring to the status quo,<sup>8</sup> or whether the Commission is envisioning a regime in which TRS customers have the ability to select or presubscribe among multiple TRS providers. In the case of the former, BellSouth does not envision that implementation of 711 access to TRS services would affect such

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Further Notice of Proposed Rulemaking at ¶ 67.

<sup>8</sup> In all of the states in which BellSouth is authorized to provide telephone exchange and exchange access service, TRS providers compete for the opportunity to be awarded an exclusive contract to provide such relay services within a single state. See Telecommunications Relay Services, the Americans with Disabilities Act of 1990, and the Telecommunications Act of 1996, Notice of Inquiry, CC Docket No. 90-571 (Jan. 14, 1997) at n.13 ("The majority of states currently select a single statewide and interstate TRS provider through a competitive bidding process.")

competition. In the case of the latter, use of a three digit access code will not create competition, but could create conditions of disparity until technological and funding issues are resolved.

To the extent that the FCC is envisioning competition among TRS providers of a nature dramatically different than today, BellSouth notes that even the 800 database as it currently exists today is not capable of table look-up functionality for access to multiple TRS providers. The current switch vendor products deployed in BellSouth's central office and wireless switches do not support a line option presubscription capability for selective routing to predefined multiple TRS providers. In order to provide this capability, the vendor community would have to undertake a switch feature development effort, and this effort may have to be preceded by the work of a nationwide standards body that would define switch requirements. The implementation process would then proceed in two phases: first, the newly developed features would have to be loaded into network switches; and second, customer specific data would have to be obtained and recorded. BellSouth cannot project whether such development could occur within the Commission's proposed three year proposed implementation phase.

A more promising solution for providing access to multiple TRS providers would be, Advanced Intelligent Network capability but further technological development are necessary as well in order to allow individual access to presubscribed TRS providers. These refinements can only be ascertained with the development of the nationwide standards referred to above. Nevertheless, such efforts will undoubtedly involve far greater costs than a comparatively simple "switch-based" N11 approach, and carriers must be allowed to recover these costs.

As with BellSouth's wireline operations, the technological and economic complexity of CMRS 711 implementation increases depending on the type of access architecture selected. As

discussed above, in the case of switch-based N11, the fact that CMRS switches may provide service to more than one state makes switch-based translations somewhat problematic, given today's one TRS provider per state service configuration. If, on the other hand, CMRS providers are required to provision a 711 code that will allow access to multiple TRS providers or to a TRS gateway, they will confront many of the same unresolved economic and technological issues as wireline carriers. Rating and routing standards will have to be developed. A cost recovery mechanism will have to be established. Numerous other cost considerations, including customer education, directory changes and the like will affect wireline and wireless carrier alike.

**C. CMRS Support for TDD/TTY Devices.**

BellSouth's cellular and PCS services currently provide access to TRS centers just like any other subscriber dialed local or 1-800 number. However, subscribers who want to use TDD/TTY devices to make calls from their wireless handsets may not be able to, depending upon the type of TDD device and the type of wireless system accessed. Many TDD/TTY devices are not physically compatible with wireless handsets because they rely on acoustical coupling or direct connectivity to the handsets. In addition, in today's environment it appears that only analog cellular systems can support communication from a TDD/TTY coupled to a wireless handset over their networks. Most digital systems cannot support TDD/TTY communications. Joint efforts are underway among wireless manufacturers and TDD/TTY manufacturers to address this issue in conjunction with meeting the FCC's wireless 911 mandates.<sup>9</sup> Although the FCC order requires

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<sup>9</sup> In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Report and Order and Further Notice of Proposed Rulemaking, FCC 96-264, CC Docket No. 94-102. (rel. July 26, 1996).

CMRS carriers to be able to support 911 calls over their networks with TDD/TTY by October 1, 1997, it is expected that this date cannot be met by all carriers, esp. digital providers.<sup>10</sup>

The Manufacturers are currently evaluating the issues and working to determine the development efforts that will be required to meet the mandate. Until this work is complete, it is unclear how long it will take to make wireless 911 accessible to all TDD/TTY users. BellSouth anticipates that the solutions developed to allow TDD/TTY users to use wireless services to make 911 calls will also provide for the ability of TDD/TTY users to make calls over CMRS systems to TRS centers using existing 1-800 numbers or by dialing 711 if such a nationwide network is implemented.

## **II. SALE OR TRANSFER OF N11 CODES**

BellSouth agrees with the Commission's tentative conclusion that N11 codes should not be sold through private transactions.<sup>11</sup> A transfer of such codes incidental to a business reorganization, however, should not be prohibited. The Commission has not cited to congressional mandate or other statutory authority granting it the right to sell the "right to use" N11 codes, or "the right to sell other abbreviated dialing arrangements."<sup>12</sup> In light of the value

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<sup>10</sup> PCIA and others have raised this issue with the FCC in their Petitions for Reconsideration of the E911 order and in recent Ex Partes.

<sup>11</sup> Further Notice of Proposed Rulemaking at ¶ 71.

<sup>12</sup> For example, under Title VI of the Omnibus Budget Reconciliation Act of 1993, Congress directed the National Telecommunications and Information Administration to identify and transfer federal government spectrum to the FCC for reallocation to nonfederal commercial use, and enacted Section 309(j) of the Communications Act to require the FCC to employ competitive bidding under specified conditions in the assignment of spectrum for emerging telecommunications technologies. See Comment, Spectrum Bids, Bets, and Budgets: Seeking an Optimal Allocations and Assignment Process for Domestic Commercial Electromagnetic Spectrum Products, Services, and Technology, 48 Fed. Comm. L. J. 511, 514-15 (1996).

judgments made by the Commission to date with respect to various special functions associated with N11 codes (311 for non-emergency police and local government service, 711 for TRS access and 911 for emergency fire, police and rescue services, and the equal availability of 411, 611 and 811 to all telecommunications service providers for directory assistance, business and repair office uses) selling the right to use the remaining N11 Service Codes (211 and 511) is not likely to encourage optimal uses of those resources, and may, in fact, discourage their use entirely.

### **III. ADMINISTRATION OF N11 CODES**

BellSouth has long supported the transfer of incumbent LEC number administration functions to a neutral third party administrator. BellSouth therefore agrees that the administration of N11 codes for local use, to the extent that this administration was done by the incumbent LECs prior to enactment of the 1996 Act, be transferred to the neutral NANP administrator to be recommended by the NANC with the transfer of the functions associated with central office code administration.<sup>13</sup> BellSouth observes, however, that although it has provided a local calling area based N11 abbreviated dialing service under tariff to information service providers in several states, it has not, as the incumbent LEC, “administered” the N11 codes themselves. Rather, the “codes” used to provide these services have been administered by, or under the auspices of, the relevant state public utility commission, because they are intra-network codes. Inter-network codes, however, are best administered by a neutral third-party administrator pursuant to industry developed guidelines.

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<sup>13</sup> Further Notice of Proposed Rulemaking at ¶ 75.

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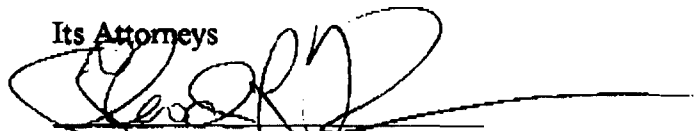
### CONCLUSION

Only switched base N11 access, tied to the existing TRS model, appears to be achievable on a nationwide basis within three years. Other solutions require more rigorous threshing out and analysis. Any solution needs to be implemented in a manner that will allow telecommunications service providers to recover their costs. The Commission has no express statutory authority to sell the right to use N11 codes or to sell other abbreviated dialing arrangements. Local N11 Code administration, to the extent it is performed by the incumbent LEC, should be transferred to the new NANP administrator.

Respectfully submitted,

BELLSOUTH CORPORATION

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DATE: March 31, 1997

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 31st day of March, 1997 served the following parties to this action with a copy of the foregoing COMMENTS by hand delivering a true and correct copy of the same addressed to the parties below:

  
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